

REMARKS

The final Office Action mailed June 1, 2009 has been carefully reviewed and the foregoing amendment has been made in consequence thereof.

Claims 1, 3-7, and 9-26 are now pending in this application. Claims 1, 3-7, 9-12, 25, and 26 stand rejected. Claims 13-24 have been withdrawn by the Examiner from further consideration.

The rejection of Claims 1, 3-7, 9-12, 25, and 26 under 35 U.S.C. § 103(a) as being unpatentable over Korean Reference KR2003055965 to Je (hereinafter referred to as “Je”) in view of U.S. Patent No. 3,118,297 to Olding (hereinafter referred to as “Olding”) is respectfully traversed.

On Pages 4 and 5 of the Office Action, the Examiner asserts that Je describes “supply[ing] the water to the reservoir (and hence **diluted additive** to the basket).” (emphasis added). Then, on Pages 5 and 6 of the Office Action, the Examiner asserts that Je “does not teach a conduit extending into the annular space defined between the tub and basket” and that “Olding teaches a conduit 86 which extends into the annular space between a basket and tub.” The Examiner further asserts that “[i]t would have been obvious to one of ordinary skill in the art at the time of the invention to modify Je . . . with Olding, to create a washing machine bleach dispenser which further limits the possibility of damage to clothing.” However, Olding explicitly teaches a conduit for delivering **undiluted bleaching agent** directly into a tub so that the bleaching agent can be diluted after the bleaching agent is already in the tub. (Column 3, Lines 21-63). Moreover, on Page 6 of the Office Action, the Examiner recognizes the teachings of Olding, stating that Olding facilitates limiting “the possibility of damage to clothing by **undiluted bleach** addition.” (emphasis added).

In that regard, “[i]f the proposed modification or combination of the prior art would change the principle of operation of the prior art invention being modified, then the teachings of the references are not sufficient to render the claims *prima facie* obvious.” MPEP § 2143.01(VI). Therefore, given that delivering undiluted bleaching agent to a tub (as described in Olding) is contrary to delivering diluted additive to a basket (as the Examiner asserts is described in Je), the Examiner’s proposed combination of Je and Olding is insufficient to establish a *prima facie* case of obviousness and is prohibited under Section

2143.01(VI) of the MPEP because modifying Je with Olding would “change the principle of operation” of Je.

Furthermore, Olding is submitted to teach away from the combination asserted in the Office Action. As explained by the Federal Circuit, a reference teaches away “when a person of ordinary skill, upon reading the reference, would be discouraged from following the path set out in the reference, or would be led a direction divergent from the path that was taken by the applicant.” In re Gurley, 27 F.3d 551, 553 (Fed. Cir. 1994). In this instance, Olding explicitly teaches a conduit for delivering undiluted bleaching agent directly into a tub so that the bleaching agent can be diluted after the bleaching agent is already in the tub. (Column 3, Lines 21-63). Clearly, the teachings of Olding would discourage one of ordinary skill in the art from diluting the additive prior to delivery into the basket, as suggested in the Office Action. As such, it is impermissible to pick and choose from any one reference only so much of it as will support a given position, to the exclusion of other parts necessary to the full appreciation of what such reference fairly suggests to one of ordinary skill in the art (see MPEP § 2141.02(VI)). Therefore, Applicants submit that the Examiner cannot ignore the portions of Olding that teach away from the proposed combination.

Moreover, to the extent understood, Je describes a bleach input apparatus for a washing machine. The input apparatus includes a storage unit (40) with a bleaching agent chamber (41) and a softening agent chamber (42). A partition (46) separates the chambers (41 and 42), and a siphon pipe (43 and 43') extends from an interior of each chamber (40 and 41), respectively, to a pass station (65) of a tub cover (60). Notably, Je does not describe or suggest a reservoir and a conduit that are coupled together and are configured to deliver a diluted additive into an annular space between a tub and a basket.

Olding describes an automatic washer that includes a cabinet (20), an outer splash tub (34), an extractor wash tub (32), and a bleaching agent conduit (82). The bleaching agent conduit (82) introduces an undiluted bleaching agent into tub (34) so that the bleaching agent can be diluted inside of tub (34) before coming into contact with clothes within tub (32). (Column 3, Lines 21-63). Notably, Olding does not describe or suggest a reservoir and a conduit that are coupled together and are configured to deliver a diluted additive into an annular space between a tub and a basket.

Claim 1 recites an additive dispensing system for a washing machine including a tub for holding wash liquid and a basket for holding articles to be washed, and defining an annular space between the tub and the basket. The additive dispensing system includes “a top cover; a reservoir removably coupled to said top cover, and configured to contain an additive; a water valve coupled to said reservoir; a conduit coupled to said reservoir and extending into the annular space, said conduit providing fluid communication between said reservoir and the annular space, and configured to deliver a diluted additive into the annular space; and a controller coupled to said water valve, said controller configured to: activate said water valve, said water valve configured to introduce water into said reservoir to dilute the additive and raise a fluid level of the diluted additive in said reservoir to a level to initiate a siphoning action of the diluted additive to fill and flush said reservoir, said conduit configured to deliver the diluted additive to the annular space; automatically adjust a dispense time to dispense the diluted additive corresponding to at least one of a selected wash cycle of a plurality of wash cycles and a user adjustment made during the selected wash cycle; and dispense the diluted additive to the washing machine at the adjusted dispense time by delivering the diluted additive into the annular space through said conduit.”

No combination of Je and Olding describes or suggests an additive dispensing system for a washing machine as recited in Claim 1. More specifically, no combination of Je and Olding describes or suggests a reservoir and a conduit that are coupled together and are configured to deliver a diluted additive into an annular space between a tub and a basket. Rather, in contrast to the presently claimed invention, Je merely describes an input apparatus for a washing machine that includes a storage unit with a bleaching agent chamber, a softening agent chamber, and a siphon pipe that extends from an interior of each chamber to a pass station of a tub cover, and Olding describes a conduit for delivering undiluted bleaching agent directly into a tub so that the bleaching agent can be diluted after the bleaching agent is already in the tub.

Accordingly, Claim 1 is submitted as being patentable over Je in view of Olding.

Claims 3-6 and 26 depend from Claim 1. When the recitations of Claims 3-6 and 26 are considered in combination with the recitations of Claim 1, Applicants submit that dependent Claims 3-6 and 26 are likewise patentable over the combination of Je and Olding.

Claim 7 recites a washing machine that includes “a tub for holding wash liquid; a basket positioned within said tub for holding articles to be washed, an annular space defined between said tub and said basket; and an additive dispensing system comprising: a top cover; a reservoir removably coupled to said top cover, and configured to contain an additive; a water valve coupled to said reservoir; a conduit coupled to said reservoir and extending into the annular space, said conduit providing fluid communication between said reservoir and the annular space, and configured to deliver a diluted additive into the annular space; and a controller coupled to said water valve, said controller configured to: activate said water valve, said water valve configured to introduce water into said reservoir to dilute the additive and raise a fluid level of the diluted additive in said reservoir to a level to initiate a siphoning action of the diluted additive to fill and flush said reservoir, said conduit configured to deliver the diluted additive to the annular space; automatically adjust a dispense time to dispense the diluted additive corresponding to at least one of a selected wash cycle of a plurality of wash cycles and a user adjustment made during the selected wash cycle; and dispense the diluted additive to the washing machine at the adjusted dispense time by delivering the diluted additive into the annular space through said conduit.”

No combination of Je and Olding describes or suggests a washing machine as recited in Claim 7. More specifically, no combination of Je and Olding describes or suggests a reservoir and a conduit that are coupled together and are configured to deliver a diluted additive into an annular space between a tub and a basket. Rather, in contrast to the presently claimed invention, Je merely describes an input apparatus for a washing machine that includes a storage unit with a bleaching agent chamber, a softening agent chamber, and a siphon pipe that extends from an interior of each chamber to a pass station of a tub cover, and Olding describes a conduit for delivering undiluted bleaching agent directly into a tub so that the bleaching agent can be diluted after the bleaching agent is already in the tub.

Accordingly, Claim 7 is submitted as being patentable over Je in view of Olding

Claims 9-12 depend from Claim 7. When the recitations of Claims 9-12 are considered in combination with the recitations of Claim 7, Applicants submit that dependent Claims 9-12 are likewise patentable over the combination of Je and Olding.

Claim 25 recites an additive dispensing system for a washing machine including a tub for holding wash liquid and a basket for holding articles to be washed, and defining an

annular space between the tub and the basket. The additive dispensing system includes “a reservoir cover comprising a plurality of tabs extending from said reservoir cover, said plurality of tabs configured to engage a top cover of the washing machine; a reservoir removably coupled to said reservoir cover, and configured to contain an additive, said reservoir comprising a conduit; a water valve coupled to said reservoir; and a controller coupled to said water valve, said controller configured to: activate said water valve, said water valve configured to introduce water into said reservoir to dilute the additive and raise a fluid level of the diluted additive in said reservoir to a level to initiate a siphoning action of the diluted additive to fill and flush said reservoir, said conduit configured to deliver the diluted additive to the annular space.”

No combination of Je and Olding describes or suggests an additive dispensing system for a washing machine as recited in Claim 25. More specifically, no combination of Je and Olding describes or suggests a reservoir and a conduit configured to deliver a diluted additive into an annular space between a tub and a basket. Rather, in contrast to the presently claimed invention, Je merely describes an input apparatus for a washing machine that includes a storage unit with a bleaching agent chamber, a softening agent chamber, and a siphon pipe that extends from an interior of each chamber to a pass station of a tub cover, and Olding describes a conduit for delivering undiluted bleaching agent directly into a tub so that the bleaching agent can be diluted after the bleaching agent is already in the tub.

Accordingly, Claim 25 is submitted as being patentable over Je in view of Olding.

For at least the reasons set forth above, Applicants respectfully request that the Section 103 rejection of Claims 1, 3-7, 9-12, 25, and 26 be withdrawn.

In view of the foregoing amendment and remarks, all of the claims now active in this application are believed to be in condition for allowance. Reconsideration and favorable action are respectfully solicited.

Respectfully submitted,

/Eric T. Krischke/

Eric T. Krischke
Registration No. 42,769
ARMSTRONG TEASDALE LLP
One Metropolitan Square, Suite 2600
St. Louis, Missouri 63102-2740
(314) 621-5070